



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/348,425	07/07/1999	THOMAS A. KIST	6169-125	5214

7590 10/08/2003

GREGORY QUARLES & BRADY LLP
222 LAKEVIEW AVENUE
PO BOX 3188 SUITE 400
WEST PALM BEACH, FL 334023188

EXAMINER

AZAD, ABUL K

ART UNIT	PAPER NUMBER
----------	--------------

2654

18

DATE MAILED: 10/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Mailed

OCT 08 2003

Technology Center 2600



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 18

Application Number: 09/348,425

Filing Date: July 07, 1999

Appellant(s): KIST ET AL.

Kevin T. Cuenot
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed on July 22, 2003.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

The applicant stated that there are no other related appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the appeal.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is partially correct. In fact the Examiner's Advisory Action mailed May 16, 2003, indicated that the response to final action is not deemed to be persuasive.

(5) *Summary of Invention*

The summary of invention contained in the brief is deficient because the applicant distinguishing between conventional speech system and his invention is not a summary of the invention. The correct summary of invention can be read from the first, second and third paragraphs of the summary of the invention section of the specification, which states:

The present invention provides a method and system to execute voice commands, having ordinary dictation as a parameter, for performing system and application software events.

Specifically, in a system adapted for speech recognition, the present invention provides a method for executing a voice command in the form of a spoken utterance having a dictation portion. The method begins by receiving a user input corresponding to the spoken utterance. This input is processed to identify a pattern of words forming the spoken utterance, which matches a predetermined command pattern. A computer system command is identified that corresponds to the pre-determined command pattern and has at least one parameter. The one or more parameters are extracted from words contained in a dictation portion of the voice command, which are distinct from the pattern of words matching the pattern. The computer system command is then processed to perform an event in accordance with the one or more command parameters.

Another aspect of the invention is that the words forming the dictation portion of the voice command may be embedded within the pattern of words matching the command pattern. The dictation portion of the voice command can be comprised of any set of words in a voice recognition engine vocabulary. Consequently, the event performed by the system can include inserting the dictation portion of the spoken utterance at a location in a word processing document or any other location specified by the computer system command.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

Appellant's brief includes a statement that claims 22-23, 27-28 and 24-26, 29-31 do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

5,799,279	Gould et al.	08-1998
-----------	--------------	---------

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 22-31 are rejected under 35 U.S.C. 102 (e) as being anticipated by Gould et al. (US 5,799,279). This rejection is set forth in prior Office Action, Paper No. 13 and is reproduced below for convenience.

As per claim 22, Gould teaches, "in a speech recognition system, a method of processing a voice command comprising"

"identifying a voice command having a voice command component and dictation component within a contiguous utterance, wherein said voice command component is specified by a command grammar and said dictation component is not specified by said command grammar" (Figures 8a, 8b, 9a and 9b; col. 5, line 13 to col. 6, line 67; reads on "if CPU determines that user's speech is text . . . if CPU determines that user's speech was a command, then the CPU sends keystrokes or scripting language to the application to cause the application to delete the partial results from the screen and

execute the command" here CPU determined command based on the command grammar);

"executing said identified voice command component using at least a part of said dictation component as an execution parameter of said voice command" (col. 5, line 13 to col. 6, line 67, reads on "if CPU determines that user's speech was a command, then the CPU sends keystrokes or scripting language to the application to cause the application to delete the partial results from the screen and execute the command").

As per claim 23, Gould teaches, "loading a translation rule and linking said voice command component to an application command using said translation rule" (col. 6, lines 16-29, application);

"providing said application command to an associated computing application" (col. 6, lines 16-29).

As per claim 24, Gould teaches, "providing step said at least a part of said dictation component as a parameter of said application command to said associated computing application" (col. 6, lines 16-29).

As per claim 25, Gould teaches, "inserting said at least a part of said dictation component in a text field of said associated computing application" (col. 6, lines 16-29).

As per claim 26, Gould teaches, "providing said voice command component to an associated computing application for processing, and further providing said at least a part of said dictation component as a parameter of said voice command to said computing application" (col. 5, line 13 to col. 6, line 67).

As per claim 27-31, are similar in scope and content of claims 22-26 and are rejected under similar rationale.

(11) Response to Argument

As per claims 22-23 and 27-28, the appellant argues that Gould does not teach that voice commands can include a voice command component and a dictation component within a contiguous utterance.

The examiner disagrees with the appellant's assertion because the examiner point out where Gould teaches such limitation at the Non-final (Paper No. 11) and final rejection (Paper No. 13) and also to the applicant's response to arguments section of those same papers.

The examiner notes that the Gould teaches at col. 1, lines 31-38 and col. 1, line 55 to col. 2, line 13, reads as "the invention features a method for use in recognizing continuous speech. Signals are accepted corresponding to interspersed speech elements including text elements corresponding to text to be recognized and command elements corresponding to commands to be executed. The elements are recognized. The recognized elements are acted on in a manner which depends on whether they represent text or commands" (emphasis supplied).

"The recognizing may include, in parallel, recognizing elements as if they were text, and recognizing the elements as if they were commands. . . the result may be partial results. . . the advantages of the invention may include on or more of the following. Recognizing spoken commands within dictated text allows users to intermittently execute command that affect the text (e.g., underlining or bolding

particular words) without requiring the user to switch between separate command and dictation modes" (emphasis supplied). Form the above it is clear that Gould teaches within a contiguous utterance, being a continuous speech recognized, having a voice command component and a dictation component.

The examiner notes that above limitation is also taught by Gould at column 6, lines 48-67; where Gould teaches, "when a user's speech is recognized for commands and text against the same set of vocabularies, any language modeling information in the vocabularies tends to cause the system to favor the recognition of text over commands."

More clearly one would understand that Gould teaches identifying a voice command component and a dictation component with a contiguous utterance in Figures 8a, 8b, 9a and 9b, at col. 6, lines 30-41 reads "the application being executed by the system is meeting scheduler. After the system displays partial results 302 "schedule this meeting in room 507", the system determines that the utterance was a command and removes the text from the utterance was a command and removes the text from the display screen and executes the command by scheduling 304 the meeting in room 507.

Similarly, after the system displays partial results 304 "underline last three words" the system determines that the utterance was a command and removes the text from the display screen and executes the command by underlining 306 the last three words".

At page 9 of the brief, the appellant asserts that in Figs. 8a, 8b, 9a, 9b, and accompanying description in column 5, line 13-cloumn 6, line 67, Gold determines whether user speech is either a command or dictation, but does not disclose a

command structure which includes a voice command component and a dictation component incorporated or embedded therein.

The examiner disagrees with the appellant's assertion, because in the cited portion of Gould teaches, "if the CPU determines that the user's speech was a command, then the CPU sends keystrokes or scripting language to the application to cause the application to delete the partial results from the screen and execute the command". Since Gould recognizes continuous speech, where a partial result is executed as command on a partial text (detected) command, therefore, Gould discloses a command structure, which includes a voice command component and a contiguous dictation component incorporated therein.

The applicant argues at Page 15 of the Brief as: "the above excerpt illustrates only that Gould can recognize both voice commands and dictation independently of one another. The Appellants, however, do not dispute this aspect of Gould. Rather, the Appellants content that Gould cannot recognize a voice command structure having a voice command component and an embedded dictation component, both existing as part of the voice command structure. The above passage does not teach or suggest such capability".

The examiner disagrees because Gould teaches in continuous speech recognition system a command part and a detected part is determined, therefore, Gould teaches command component and dictation component both existing as part of the voice command structure. For example, Figs, 8a, 8b, 9a, 9b Gould shows a scheduler, here a command "schedule this meeting in, room 507", contains command part

"schedule this meeting" and text part "room 507", where room 507 is embedded dictation component inputted as text in the scheduler, therefore booth command part and text part exist as part of voice command.

The applicant further argues, "Gould, however, does not execute a voice command which includes at least a part of dictation component as an execution parameter of the voice command".

The examiner notes that the limitation is taught by Gould details at col. 6, lines 30-41. The limitation reads on "if CPU determines that user's speech was a command, then the CPU sends keystrokes or scripting language to the application to cause the application to delete the partial results from the screen and execute the command"). Examples are given in Figures 8a, 8b, 9a and 9b; at col. 6, lines 30-41 reads, "The application being executed by the system is meeting scheduler. After the system displays partial results 302 "schedule this meeting in room 507", the system determines that the utterance was a command and removes the text from the utterance was a command and removes the text from the display screen and executes the command by scheduling 304 the meeting in room 507. Similarly, after the system displays partial results 304 "underline last three words" the system determines that the utterance was a command and removes the text from the display screen and executes the command by underlining 306 the last three words".

As per claims 24-26 and 29-31, the appellant argues: "Gould does not provide at least a part of dictation component to a computing application as part of an application

Art Unit: 2654

command. Gould further does not insert part of a dictation component within a text field of an application".

The examiner notes that this limitation is taught by Gould at column 6, lines 14-67.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,


Abul K. Azad

Examiner, Art Unit 2654

October 1, 2003

Conferees


RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER


Richmond Dorvil (SPE 2654)


Tāļivaldis I. Šmits (Primary Examiner 2600)


Abul K. Azad (Examiner 2654)

GREGORY QUARLES & BRADY LLP
222 LAKEVIEW AVENUE
PO BOX 3188 SUITE 400
WEST PALM BEACH, FL 33402-3188